

SENATE BILL REPORT

SB 6489

As Reported By Senate Committee On:
Human Services & Corrections, February 05, 2008

Title: An act relating to including level I offenders who fail to maintain registration as required by RCW 9A.44.130 to the statewide notification web site.

Brief Description: Including level I offenders who fail to maintain registration as required by RCW 9A.44.130 to the statewide notification web site.

Sponsors: Senators Hargrove, Regala, Brandland, Stevens, Carrell, Shin, Rasmussen, Delvin, Benton and Kilmer; by request of Governor Gregoire.

Brief History:

Committee Activity: Human Services & Corrections: 1/25/08, 2/05/08 [DPS].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Jennifer Strus (786-7316)

Background: Under the Community Protection Act of 1990, a sex or kidnaping offender is required to register with the county sheriff of the county in which the offender resides. The offender must provide a variety of information upon registration including name, complete residential address, date and place of birth, place of employment, crime of conviction, date and place of conviction, aliases, Social Security number, photograph, and finger prints. Counties submit the information to the Washington State Patrol (WSP) for inclusion in the statewide sex offender registry.

Law enforcement agencies are authorized to release information regarding registered sex offenders based on the offenders' risk level. The Washington Association of Sheriffs and Police Chiefs (WASPC) operates a web site that contains information on all registered kidnaping offenders and all registered level II and III sex offenders. The web site is capable of showing the location of the sex offender on a map and is searchable by county, city, zip code, last name, type of conviction, and address by hundred block. Level I sex offenders (those considered least likely to reoffend) are listed in the statewide sex offender registry maintained by WSP but are not available on the public web site maintained by WASPC.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill (Recommended Substitute): WASPC must include on its web site level I sex offenders who are out of compliance with registration requirements under RCW 9A.44.130.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute): Clarifies when Level I sex offenders are included on the WASPC web site.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: It is law enforcement's responsibility to get information about sex offenders out to the public. Just because an offender's risk level is Level I, it does not necessarily mean that the person doesn't present a threat. If Level I sex offenders placed on the register fail to maintain their registration and law enforcement doesn't know where they are, if they appear on the public website, the public could assist in finding them. That a Level I sex offender is flouting the law by not maintaining his/her registration may be an indication that the offender is a greater danger to the community than previously thought. This bill allows law enforcement to bring people disobeying the law to justice.

Persons Testifying: PRO: Dan Kimball, Thurston County Sheriff; David Boerner, Sentencing Guidelines Commission; John Lane, Governor's Office; Russ Hauge, Washington Association of Prosecuting Attorneys.